



The relief described hereinbelow is SO ORDERED.

Signed March 01, 2023.

A handwritten signature in black ink, appearing to read "H. Mott".

H. CHRISTOPHER MOTT  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:	)	
	)	
A&R CHAVIRA, LLC,	)	Case No. 23-30067-HCM
	)	Chapter 11
Debtor.	)	

**ORDER GRANTING FIRST AMENDED MOTION FOR AUTHORIZATION TO  
MAINTAIN AND USE PREPETITION BANK ACCOUNT AT FIRSTLIGHT OF EL  
PASO DEL NORTE**

Came on this day to be considered the First Amended Motion for Authorization to Maintain and Use Prepetition Bank Account at First Light of El Paso Del Norte ("First Light") (the "Motion") filed by A&R Chavira, LLC ("A&R"), as Debtor-in-Possession in this Chapter 11 proceeding. After consideration of the pleadings, this Court is of the opinion that the relief requested in the Motion should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that A&R may maintain and use the following existing bank account at First Light:

a). **Account Ending XXXXX (0008)** which is used as an Operating Account for daily operations and receipt of all payments from its customers, as well as electronic payments to lenders (the "First Light Account").

IT IS FURTHER ORDERED, ADJUDGED and DECREED that unless A&R voluntarily closes the First Light Account, or until such further order from this Court, A&R is authorized to allow the First Light Account to remain open subject to the conditions in this Order.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that A&R is authorized to continue using its existing negotiable instruments for the First Light Account, including pre-printed checks, until the supply of existing instruments is exhausted; but A&R shall:

- clearly imprint on each negotiable instrument the Case Name and Number **"In re A&R Chavira LLC Case No. 23-30067"** and "Debtor-in-Possession";
- with respect to pre-printed checks, any new check stock ordered by A&R shall contain the "Debtor-in-Possession" reference and the Case Number;
- with respect to checks that A&R prints in-house, it shall begin printing those checks with a "Debtor-in-Possession" designation and Case Number within three (3) business days of the date this Order is entered.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that A&R shall close all prepetition bank accounts that remain open, if any, other than the First Light Account.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that A&R will provide to the Office of the United States Trustee (the "UST") the location and account number of any additional Debtor-in-Possession account(s) opened by A&R.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that within seven business days of entry of this Order, A&R will provide the UST with sufficient evidence to show that all open bank accounts, including the First Light Account, have been properly styled as "Debtor-in-Possession" accounts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that within three (3) days from entry of this Order, A&R shall cause a copy of this Order to be served on First Light and counsel to any creditors' committee appointed in A&R's Chapter 11 case, if any.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that at no time shall A&R maintain balances in the First Light Account greater than the federally insured limit, unless First Light becomes an authorized depository with the UST, Region 7, Western District of Texas.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that all institutions maintaining an account which constitute authorized depositories shall comply with the collateralization and reporting requirements of the UST for such authorized depository.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that A&R shall attach a copy of the monthly bank statements for the First Light Account to its Monthly Operating Reports.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that nothing contained herein shall prevent A&R from opening or closing the First Light Account as it may deem necessary and appropriate, upon further Motion and by Court Order.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that on or before March 31, 2023, A&R shall provide to the UST a reconciliation for the First Light Account ending

XXXXX(0008), as of Petition Date, including copies of bank statements and lists of outstanding checks with dates, payees and amounts;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that nothing on this Order shall preclude the Debtor or any other party in interest seeking modification of this Order upon motion to this court.

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**Submitted by:**

Carlos A. Miranda, Esq.  
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Counsel for Debtor

In re:  
A&R Chavira, LLC  
Debtor

Case No. 23-30067-hcm  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0542-3  
Date Rcvd: Mar 01, 2023

User: admin  
Form ID: pdfintp

Page 1 of 2  
Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 03, 2023:

Recip ID	Recipient Name and Address
db	+ A&R Chavira, LLC, 6900 Gateway Blvd. East, El Paso, TX 79915-1105
cr	+ NextGear Capital, Inc., c/o Padfield & Stout, LLP, Christopher V. Arisco, 420 Throckmorton Street, Suite 1210, Fort Worth, TX 76102-3792
cr	+ Vehicle Acceptance Corporation, c/o Kemp Smith LLP, 221 N. Kansas, Ste. 1700, El Paso, TX 79901-1401

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: sanantonio.bankruptcy@publicans.com	Mar 01 2023 22:33:00	City Of El Paso, Weston Centre, 112 E. Pecan St, Suite 2200, San Antonio, TX 78205

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 03, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 1, 2023 at the address(es) listed below:

Name	Email Address
Carlos A. Miranda	on behalf of Debtor A&R Chavira LLC cmiranda@eptxlawyers.com, wendy@eptxlawyers.com
Christopher V. Arisco	on behalf of Creditor NextGear Capital Inc. carisco@padfieldstout.com, carisco@livepad.com
Don Stecker	

District/off: 0542-3

User: admin

Page 2 of 2

Date Rcvd: Mar 01, 2023

Form ID: pdfintp

Total Noticed: 4

on behalf of Creditor City Of El Paso don.stecker@lgbs.com

James Randolph Liebler, II

on behalf of Creditor Westlake Flooring Company LLC jrlii@lgplaw.com mkv@lgplaw.com

James W. Brewer

on behalf of Creditor Vehicle Acceptance Corporation jbrewer@kempsmith.com tschoemer@kempsmith.com

United States Trustee - EP12

USTPRegion07.SN.ECF@usdoj.gov

TOTAL: 6